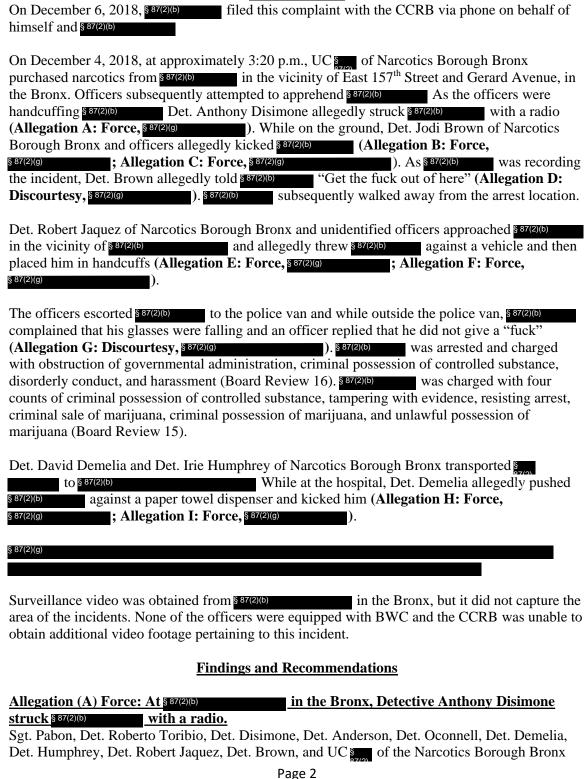
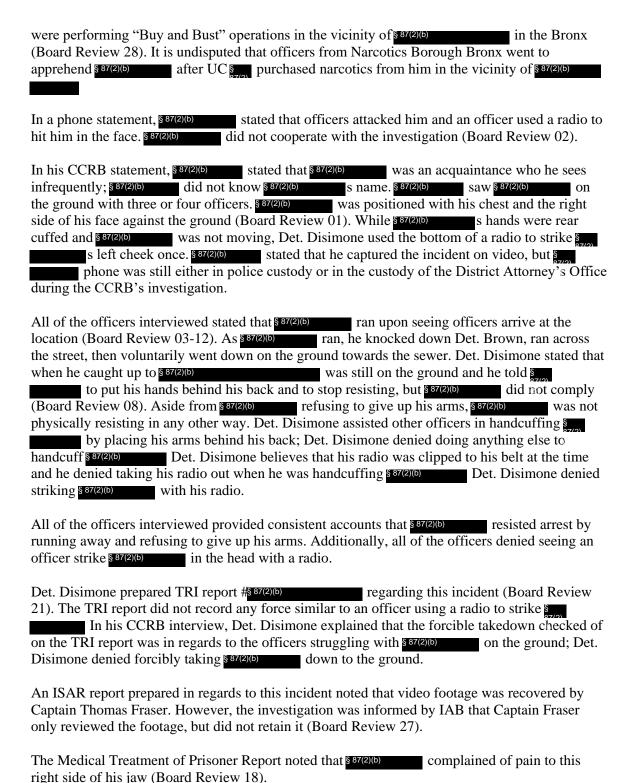
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☑ Force	☑ Discourt. □	U.S.
Patrick Yu		Squad #8	201810168	☐ Abuse	O.L.	Injury
Incident Date(s)		Location of Incident:	•	Precinct:	18 Mo. SOL E	O SOL
Tuesday, 12/04/2018 3:20 PM				44	6/4/2020 1/3	19/2021
Date/Time CV Reported		CV Reported At:	How CV Reported	l: Date/Ti	me Received at CCRB	
Thu, 12/06/2018 3:33 PM		CCRB	Phone	Thu, 12	/06/2018 3:33 PM	
Complainant/Victim	Type	Home Addre	ess			
Subject Officer(s)	Shield	TaxID	Command			
1. Officers						
2. An officer						
3. SGT David Pabon	00128	939158	NARCBBX			
4. DT3 Anthony Disimone	00340	918874	NARCBBX			
5. DT3 David Demelia	02215	920200	NARCBBX			
6. DT3 Robert Jaquez	192	938711	NARCBBX			
7. DT3 Jodi Brown	04057	936246	NARCBBX			
Witness Officer(s)	Shield N	o Tax No	Cmd Name			
1. DT3 Roberto Toribio	03100	948148	NARCBBX			
2. DT3 Abdiel Anderson	01429	932254	NARCBBX			
3. DT3 Mark Oconnell	05367	900544	NARCBBX			
4. DT3 Irie Humphrey	04680	928504	NARCBBX			
5. Undercover shield number \$ 27(2)		000000				
Officer(s)	Allegatio	on		In	vestigator Recommen	dation
A.DT3 Anthony Disimone	Force: At Anthony	§ 87(2)(b) in Disimone struck § 87(2)(b)	the Bronx, Detective with a rac			
B.DT3 Jodi Brown	Force: At Brown us	in sed physical force again	the Bronx, Detectivest § 87(2)(b)	ve Jodi		
C. Officers	Force: At physical:	§ 87(2)(b) in force against § 87(2)(b)	the Bronx, officers	used		
D.DT3 Jodi Brown		esy: At ^{§ 87(2)(b)} ooke discourteously to [§]	in the Bronx, Jo 87(2)(b)	odi		
E.DT3 Robert Jaquez	Force: At Jaquez us	in sed physical force again	the Bronx, Detectivest § 87(2)(b)	ve Robert		
F. Officers	Force: At physical	§ 87(2)(b) in force against § 87(2)(b)	the Bronx, officers	used		
G. An officer		esy: At § 87(2)(b) courteously to § 87(2)(b)	in the Bronx, ar	n officer		
H.DT3 David Demelia	Force: At Demelia	t § 87(2)(b) used physical force aga:	Detective I	David		

Officer(s)	Allegation	Investigator Recommendation
I.DT3 David Demelia	Force: At § 87(2)(b) Detective David Demelia struck § 87(2)(b) s head against an object.	
§ 87(4-b), § 87(2)(g)		
§ 87(4-b), § 87(2)(g)		

Case Summary

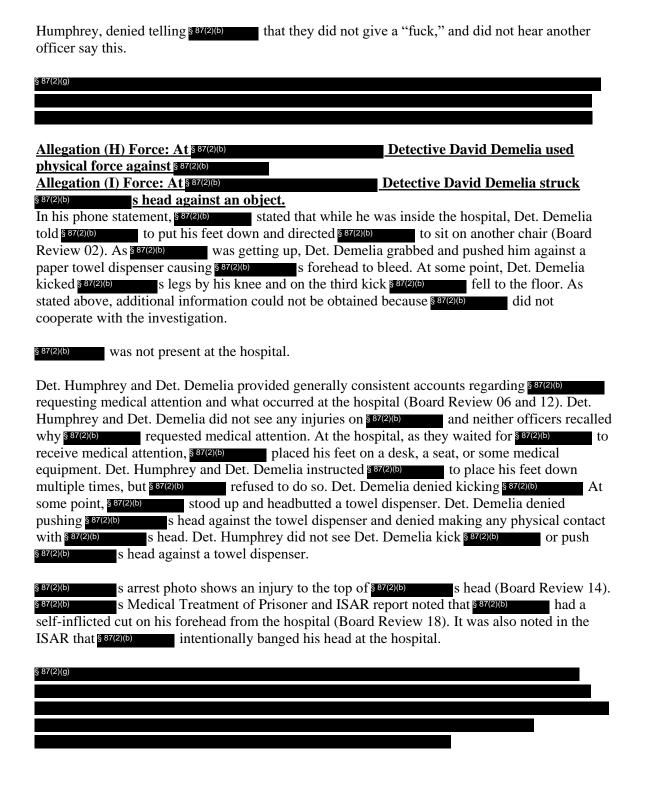




s arrest photo depicts a head injury covered by a gauze pad on the top of his head (Board Review 14). There appears to be no other injuries depicted in his arrest photo.
§ 87(2)(g)
Allegation (B) Force: At \$87(2)(b) in the Bronx, Detective Jodi Brown used physical force against \$87(2)(b) in the Bronx officers used physical force against \$87(2)(b) in the Bronx officers used physical force against \$87(2)(b) in a phone statement, \$87(2)(b) stated that officers stomped on him while he was on the ground prior to him being handcuffed (Board Review 02). \$87(2)(b) did not provide any additional details regarding the circumstances and did not cooperate with the investigation.
In his initial phone statement, \$87(2)(b) stated that two officers kicked \$87(2)(b) while he was on the ground. However, during his CCRB interview, \$87(2)(b) did not mention that officers kicked \$87(2)(b) until the undersigned specifically asked this (Board Review 01). In response, \$87(2)(b) stated that he saw an officer kick \$87(2)(b) s left rib area once. \$87(2)(b) described this officer as a \$87(2)(b)
Det. Brown is a black male, who is \$87(2)(b)
; he closely matches \$87(2)(b) description of the subject officer. As such, Allegation B is being pleaded against Det. Brown.
When officers first arrived to apprehend \$\frac{87(2)(b)}{2}\$ ran away and knocked down Det. Brown. Det. Toribio, Sgt. Pabon, Det. O'Connell, Det. Brown, and Det. Disimone all assisted with placing \$\frac{87(2)(b)}{2}\$ in handcuffs. Det. Brown provided a different account than the other officers interviewed in regards to how \$\frac{87(2)(b)}{2}\$ was positioned as he was being handcuffed. Det. Brown stated that \$\frac{87(2)(b)}{2}\$ was standing when officers were placing him in handcuffs. Det. Brown saw that the officers had difficulties with getting \$\frac{87(2)(b)}{2}\$ s arms and so Det. Brown placed his arm against \$\frac{87(2)(b)}{2}\$ s back to hold \$\frac{87(2)(b)}{2}\$ in place because \$\frac{87(2)(b)}{2}\$ was moving his body left and right. Eventually, after approximately a minute, the officers handcuffed \$\frac{87(2)(b)}{2}\$ Det. Brown did not see officers do anything else to handcuff \$\frac{87(2)(b)}{2}\$ aside from grabbing his arms. \$\frac{87(2)(b)}{2}\$ was never on the ground. Det. Brown denied kicking or stomping on \$\frac{87(2)(b)}{2}\$ and did not see officers do so.
Det. Toribio, Sgt. Pabon, Det. O'Connell, and Det. Disimone all stated that \$87(2)(b) was on the ground at some point as they attempted to place him in handcuffs. All of the officers stated that \$87(2)(b) refused to place his arms behind his back.
Det. Demelia, Det. Humphrey, and Det. Anderson stated that when they approached was already in handcuffs and standing.

None of the officers interviewed stated that they kicked or stomped on \$87(2)(b) and denied seeing another officer do so.
Det. Oconnell, Det. Toribio, Det. Disimone, and Det. Brown prepared TRI reports in regards to this incident; foot strikes were not documented in their TRI reports.
§ 87(2)(g)
§ 87(2)(g)
Allegation (D) Discourtesy: Detective Jodi Brown spoked discourteously to \$87(2)(b) In his CCRB statement, \$87(2)(b) stated that he was recording \$87(2)(b) arrest from approximately a few feet away from the officers. \$87(2)(b) told the officers that they were wrong, improper, and unprofessional. Det. Brown subsequently told \$87(2)(b) "Get the fuck out of here," "mind your business," and told \$87(2)(b) to move. \$87(2)(b) stepped back and crossed the street as he continued to record.
In his CCRB statement, Det. Brown stated that there were approximately 10-15 people lingering approximately 10-15 feet away as they were placing [887(2)(6)] in handcuffs (Board Review 05). Det. Brown stated that the crowd was at a "safe distance" which Det. Brown described as "across the street" and "a couple of car lengths away." Det. Brown did not see anyone recording during the incident and denied saying, "Get the fuck out of here."
None of the officers interviewed stated that they heard Det. Brown use profanities during the incident (Board Review 03-12).
§ 87(2)(g)
Allegation (E) Force: At \$ 37(2)(b) in the Bronx, Detective Robert Jaquez used physical force against \$ 37(2)(b) in the Bronx, officers used physical force against \$ 37(2)(b) in the Bron

Det. Jaquez and UC provide generally consistent accounts of what occurred after UC away from the scene of strong behind them and stuck his phone closely towards UC stated that came from behind them and stuck his phone closely towards UC stated that stated th
In his CCRB statement, UC stated that Det. Jaquez grabbed against a vehicle. Det. Jaquez stated that when he saw sticking his phone towards UC stated. Det. Jaquez immediately wrapped his arms around stop resisting. Det. Jaquez and UC stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing between two vehicles at some point and during the struggle stated that they were standing betwe
§ 87(2)(g) § 87(2)(g)
Allegation (G) Discourtesy: At §87(2)(b) in the Bronx an officer spoke
discourteously to \$87(2)(b) In his CCRB statement, \$87(2)(b) stated that as the officers placed him inside the police van, complained that his glasses were falling off (Board Review 01). In response, an officer, who \$87(2)(b) did not see, said they did not give a "fuck."
Aside from Det. Humphrey, no other officers recalled solution complaining that his glasses were falling off (Board Review 03-12). Det. Humphrey stated that he pushed solution glasses up on his face in response (Board Review 06). All of the officers interviewed, including Det.



87(4-b), §	87(2)(g)
	Civilian and Officer CCRB Histories
•	This is the first CCRB complaint to which §87(2)(b) and §87(2)(b) has been a par
	(Board Review 13 and 22).
•	Det. Disimone has been a member of service for 22 years and has been a subject in six CCRB complaints and 10 allegations, none of which were substantiated. §87(2)(9)
	ceres complaints and 10 anegations, none of which were substantiated.
•	Det. Demelia has been a member of service for 21 years and has been a subject in 17
	CCRB complaints and 40 allegations, of which 12 were substantiated. o 200106932 involved substantiated allegations of force, threat of force, and
	discourtesy against Det. Demelia. The Board recommended Charges and the
	Deputy Commissioner of Trials dismissed the Charges.
	 200108012 involved substantiated allegations of force, question/stop, frisk/search, refusal to provide name/shield, and retaliatory summons, and
	discourtesy. The Board recommended Charges and the Deputy Commissioner of
	Trials dismissed the Charges.
	○ § 87(4-b), § 87(2)(g)
	§ 87(4-b), § 87(2)(g)
	3 S. (1. 3), 3 S. (2), (3)
	○ \$87(2)(g)
•	Det. Jaquez has been a member of service for 14 years and has been a subject in three CCRB complaints and six allegations, none of which were substantiated. §87(2)(9)
	ceres complaints and six anegations, none of which were substantiated.
•	Det. Brown has been a member of service for 14 years and has been a subject in six
	CCRB complaints and 17 allegations, none of which were substantiated. §87(2)(9)
•	Sgt. Pabon has been a member of service for 14 years and this is the first CCRB
•	complaint to which he has been a subject.

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
- As of July 8, 2019, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (Board Review 30).

§ 87(2)(b)					
	s 87(2)(b) criminal cha he OCA database (Board	arges regarding his arrest on December 1 Review 25).	er 4, 2018 is n		
2018, § 87(2) degree § 87(2)		Regarding his arrest of criminal sale of a controlled substa			
uad No.:					
restigator:	Signature	Print Title & Name	Date		
uad Leader:					
	Signature	Print Title & Name	Date		

Page 9